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The causes of student rebellion against established social and educational systems are rooted in many forces that impinge upon their lives, 3 of which are rapid social change, affluence, and the fear of technological death. The firm conviction of "new left" activists --the third generation of radical, militant students-- is that they must do something about social problems that alienate human beings, such as poverty, racism, militarism, urbanization, and war. Believing themselves to be vitally affected by university policies and practices, students are claiming a democratic right to participate in institutional decision making. But within the university, each of the many communities should decide its own affairs, and conditions necessary for democracy do not exist. However, 3 areas in which just student demands could be met involve (1) voting on non-academic policy such as the right to control their private and social lives on campus, (2) voting on non-academic questions that concern the entire university community, such as allowing cars on campus, and (3) an effective voice in certain academic areas such as curriculum, effective teaching, examinations, and grading, on which they would not vote but could be consulted and, when possible, accommodated. The principle of consultation and accommodation would help to resolve the problem of student participation in decision making, make constructive use of students' energies, and protect colleges and universities from outside forces. (WM)

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STUDENT PARTICIPATION IN UNIVERSITY DECISION MAKING

Arval A. Morris*

In their recent book, UP AGAINST THE IVY WALL: A HISTORY OF THE COLUMBIA CRISIS,[1] Jerry L. Avorn and associates chronicle the events that took place at Columbia during April and May of 1968.[2] In a few days of strife some hundreds of students took possession of university buildings, issued ultimatums that the administration refused to meet, and engaged in acts of confrontation and negotiation. After one week of impasse, the administration called in the city police who evicted the students with great brutality and bloodshed. This book makes clear that the basic fault at Columbia was one of institutional inflexibility. The University could not cope with the intense demands of its students and faculty because its institutional machinery was too rigid. No one, nor any group of persons, could have succeeded with Columbia's archaic, insensitive institutions. That is the main lesson to be drawn from Columbia's sad experience. But, while Columbia may have been the scene of the most devastating disruption so far, we can be sure that it will not be the last.

Why? We ask: Why are students rebelling against our established social and educational systems? No one has the complete answer, but a few considerations are beginning to appear likely enough. I propose to present several of these considerations in their relatively pure forms. I will try to construct a paradigm case of some of the forces accounting for student activism, or, if you will, a caricature. My remarks apply only in part to activist blacks (Black Student Unions) and to the United Mexican-American Students (UMAS, sometimes called "Hispanos" or "Chicanos"). They apply more directly to the student activists of "the new left,"[3] who typically feel that some injustice has been done and that it must be redressed in some convincing manner, usually by "demonstrations" or "confrontations" that appropriately express the activist's convictions. Other students more or less share sympathetic feelings with the concerns of the new left activists, and many students have similar traits and backgrounds.

Perspective is vital. If we are to understand our students, we must understand the ways in which they see the world, the contexts in which they have lived, and the way they feel about things. We must try to understand their hopes and anxieties, and not get trapped within our own. What, then, are some of the considerations necessary to a beginning understanding of the forces impinging upon our students, and upon student activists in particular.[4]

The great majority of students now beginning their university educations were born well after the time of cessation of hostilities of World War II. Their early childhood memories involve that war only because their parents described its events or because of books, pictures or films. Our students have no direct experiences of it. Student memories of the Korean War are hazy about its details; usually their recall involves only some facet of the war's violence, and its general mood. For them, Viet Nam has been the vibrant

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violence in their lives. On the other hand, the parents of our students were born about the time of World War I, and their grandparents were born in the Nineteenth Century. Thus, we should expect rather great differences between generations because they have lived through such different experiences. About the only constant factor has been that of the violence wrought by war, but it too has changed in staggering magnitudes. The parents of our students are part of the first generation to struggle free of the Victorian era; for them radio and TV were incredible advances, as was the automobile for their Victorian parents. Our current students are the first post-World War II generation. Perhaps more fundamental is the fact that our students constitute the first technetronic, television generation to come to law schools.

If there is one factor that characterizes the period from World War I to the present, it is pervasive and rapid social change. Rapid social change is taking place at an unprecendented pace, and is accelerating. This fact has been the hallmark of the Twentieth Century. Young as they may be, our students have experienced rapid social change on an unprecendented scale. Born well after the end of World War II, they experienced the mood, hostilities and anti-communist attitudes of the cold war, yet they also experienced their parents talking about World War II and learned from them that the Russians had been our friends and allies in a life or death struggle. Thus, our students quickly experienced contradictions about which countries they ought regard as friendly allies and which not. To say the least, this type of experience produces skepticism. Our students have meaningfully lived through the McCarthy era, the rise of the C.I.A. and the Pentagon, Mr. Eisenhower's presidency, the bay of pigs, President Kennedy's assassination, the Gulf of Tonkin, our deepening involvement in Viet Nam, the assassinations of Martin Luther King, Jr. and Robert Kennedy, the Pueblo affair, and the seemingly impossible presidential victory of Mr. Nixon. Furthermore, they have experienced great changes that have taken place within themselves during this period. They have experienced growth from young children through puberty and adolescence into youth. Thus, seen from our students' eyes, the basic fact of internal and external life is change, and not necessarily stable change. They remain open to the future and this means that they eagerly expect and accept rapid social change. In short, they are constantly in motion and believe it normal to live a life of flux.[5]

The second fact crucial to the lives of our students is affluence.[6] The overwhelming majority of our students do not come from backgrounds of deprivation. Their psyches have not been scarred by poverty. Hunger and unsatisfied basic wants are alien to them. Their lives have coincided with America's rise to affluence, and our students simply take it for granted. For them, good cars, housing, food, vacations and television sets constitute the accepted and expected way of life. They simply assume that they have a right to a good education, including a college or university education, and this view is a function of widespread American affluence. Collectively, we are rich enough to afford many young people an extended period of youth, a pre-adult stage of life coming after adolescence and before a person must make serious decisions about entering the labor market.

The period of youth is spent by most of our affluent students in colleges and universities. These institutions have not yet recognized this fact. This is one place where youth differs tremendously with their parents and Victorian grandparents. Born around World War I and reaching college age before or at the time of the great American depression or World War II, many parents of our students were not financially able to get a college education. They were forced into war or into a depressed capitalistic economy, and into delayed marriages and families. For the parents, a college education is a great privilege, something to be treasured. For them the privilege of a college education is serious business and ought not be abused, but something to be pursued avidly and sacrificed for. On the other hand, for most of our students, a college education is simply an expected stage of life. It takes place during youth. A degree is the necessary passport for admittance to our modern technological and affluent society. For them, a college degree is no great privilege, nor is it anything to be sanctified, and for some, it need not be treasured. It is merely a credential admitting its holder to a share of society's affluence. An understanding of this clash of generational attitudes[7] aids us in comprehending the backlash sweeping our society, and coming from the parents of our students against campus protests and demonstrations. The parents and grandparents believe that student activists are abusing a great privilege and condemn the students for their campus protests and disruptions. For them, the campus activist represents the height of ingratitude, folly and unwillingness to work for the treasured good of economic security. On the other hand, our students have grown up in a world where almost everyone they have known has taken affluence for granted, and this affluence has provided them with an inner sense of economic security utterly unknown to their parents plus the expectation that a college education is merely another passing phase of life.

Another anxiety has replaced the fear of economic insecurity in the lives of our students. It is violence. This is a third force impinging upon them. Organized, sophisticated and technical violence, and the fear of violence, has been the constant companion of our students. Since their births they have heard parents, ministers and educators talking fearfully about it. Thermonuclear holocaust is not the only terrifying possibility of technological death that haunts students, particularly the activists. In addition there are the gruesome possibilities of deliberate "scientific" infections of entire populations by spreading biological weapons of disease and death, or the calculated use of lethal chemicals that have been designed to destroy body functioning. One keen observer of young radicals believes that the factor of technical, scientifically created violence is decisive:

> "The technology of death has hung like a sword over the lives of this post-modern generation. Recall, once again, how in the early memories of those young radicals, the violence of the outside world found echo and counterpart in the violence of inner feelings: on the one hand, the atomic bomb, the menacing mob, the gruesome playground fights; on the other hand, rage, fear, and anger.

The word 'violence' itself suggests both of these possibilities: the psychological violence of sadism, exploitation, and aggression, and the historical violence of war, cataclysm, and holocaust. In the lives of these young radicals, as in much of their generation, the threats of inner and outer violence are fused, each exciting the other. To summarize a complex thesis in a few words: the issue of violence is to this generation what the issue of sex was to the Victorian world.

The context of development for the post-war generation must again be recalled. These young men and women were born near the end of the most savage, wanton, and destructive war in the history of the world. Perhaps, 100,000,000 men, women, and children, most of them 'non-combatants', were killed, maimed, or wounded. All of Europe and large parts of Asia and North Africa were laid waste. The lessons of that war for this generation are summarized in the names of three cities: Auschwitz, Hiroshima, Nuremberg. At Auschwitz and the other Nazi concentration camps, more than six million Jews were systematically exterminated. Although their executioners were sometimes brutal sadists, acts of personal cruelty were the least momentous part of the extermination of European Jewry. Even more impressive are the numbers of 'decent', well-educated Germans (who loved their wives, children, and dogs) who learned to take part in, or blind themselves to, this genocide. Murder became depersonalized and dissociated, performed by a System of cold, efficient precision whose members were only following orders in doing a distasteful job well. Bureaucracy, technology, and science were linked in the service of death. Evil became 'banal', in Hannah Arendt's words; it was impersonal, dissociated from its human perpetrators, and institutionalized in an efficient and 'scientific' organization. It became clear that science and civilization, far from deterring technological death, were its preconditions." 8

Thus, youthful activists are highly skeptical about statements extolling the virtues of "science" and "civilization."

Three forces: rapid social change, affluence and the fear of technological death, have combined in varying ways with a fourth force to make activists out of many of our students. Youth is a time for fervent devotion to principle. Aristotle saw this clearly when he said that "young people ... would always rather do noble deeds than useful ones; their lives are regulated more by moral feelings than by reasoning--all their mistakes are in the direction of doing things excessively and vehemently. They overdo everything--they love too much, hate too much and the same with everything else." Youth is especially sensitive to discrepancies between principle and practice, and is prone to charge that every credibility gap is a result of manipulation, dishonesty, or insincerity. And

credibility gaps are almost everywhere.

Youth asks penetrating questions that bother their consciences. For example, they want to know why American children go to bed hungry, or starve, in a society having a gross national product of $800 billion? Why is there a paradox of poverty midst plenty in America if everything is really as good as the affluent, older people say? Our students have learned our constitutional and social ideals of fair and equal treatment, and they take them seriously. Yet, although the constitution is proclaimed the law of the land, and we assert the equality of all Americans, youth sees that racism is rampant in our society. Blacks, American Indians and Mexican-Americans do not have equal opportunity, and students see that with each passing month things do not get any better, but rather "Our nation is moving toward two societies one black, one white--separate and unequal."[9] Then, in addition to poverty and racism, there is militarism, the focal point of which is the war in Viet Nam.

Militarism and the war in Viet Nam directly account for much student activism. For our students, they summarize and symbolize the terrifying possibilities of carefully calibrated, technological death, as well as unfair American foreign and military policies in dealing with a poor and puny country. American involvement outrages our students, as well as many of their parents. For example, George Kennan's testimony on February 10th, 1966, before the Senate Committee on Foreign Relations was particularly blunt: "The first point I would like to make is that if we were not already involved as we are today in Vietnam, I would know of no reason why we should wish to become so involved, and I could think of several reasons why we should wish not to be."[10] These are strong words coming from the strategist who conceived America's anti-communist, containment policy. The implications of statements made by people like Mr. Kennan are fully drawn by our students. They frequently conclude that anti-communism for the sake of anti-communism is, in fact, an often followed American domestic and foreign policy and that it is blind, devilitating and bankrupt.

Without doubt, the Selective Service System serves to exacerbate youth's resistances to organized, older authority of all types, as well as to the policy of blind anti-communism and to the Vietnamese war. The Selective Service Act reveals a fundamental clash of interests between youth as a class who must fight and die for policies made by an older generation without youth having either a vote or a voice in formulating those policies. The draft makes youth into second class citizens; it subjects them to the arrogance of selective service officials who, under the Selective Service Act, deny counsel to all draft registrants who may want to question the judgment of a draft board, and whose official judgment on the correctness of a draft classification can be raised by way of a narrowly restricted appeal in our courts after risking prosecution for the felony of refusing induction.[11] This is the "choice" facing youth, and many of them smirk when told about America's vaunted legal protections summarized in due process of law.

Youth is outraged, and they believe that they must do something about the three great failures of the older generation: poverty, racism and inability to achieve peace, and that they must thoroughly eliminate the awesome possibilities of mass death and militarism. One of the consequences of the forces impinging upon youth has been their growing awareness of the dangers arising from the intimate connections between the military and academia. In his farewell address Mr. Eisenhower warned the Nation of the growing power of the military-industrial complex. Our students believe that universities, themselves, are deeply implicated with the military through contracts with the Department of Defense, making the true link that of a military-industrial-academic complex. In their concern students turn to the politics of moral outrage, and their moral outrage is reflected in their outlandish and youthful rhetoric.

Put simply, students are rebelling against, and also trying to do something about, everything that is remote, impersonal and alienating in human relations. In a significant sense, they are increasingly becoming Dostoevski's Underground Man who protests against the ever increasing rationalizing and centralizing and bureaucratizing of human affairs until "everything will be so clearly calculated and designated that there will be no more incidents or adventures in the world." Growing groups of rebel students are asking: Why? Why should they agree to submit their lives to even more rationalization? What will it lead to for them? What is the end result? A spiritual death? Military destruction? Or does it all lead only to the tranquilized life of cushy affluence? These goals are rejected.

Today's student lives in a bewilderingly complex world where the dynamic of superimposed change is manifest. In this new world there are exciting possibilities, but onimous threats too. Students fear that we might be moving toward a world in which experts in the use and abuse of violence will become the most powerful group in our society; moving toward a world of continuing conflict and needless and dangerous arms races accompanied by a merging of the civilian-intellectual and military elites, and making indistinguishable the skills, attitudes and ideology of soldier, academic, politician and business manager. For support, the student cites the examples of Mr. McNamara, Rand Corporation, the Pentagon and the M.I.T.-Harvard complex.

On the other hand, today's student also sees a possible world of beautiful promise, -- a world filled with hope and dignity with individual growth and expression. This world of promise, he sees, is constantly threatened and violated by cruelty, insensitivity, destruction and senseless racial discrimination.

Yesterday's guidelines, fashioned for a different time, appear too uncertain to guide him safely through today's problems. In a simpler and easier age the family, school, church and club would have helped him prepare for adulthood, but these institutions have declined in their effectiveness.

Students who are aware of their expanded consciousness and have

reached these points of view are embarrassing. They embarrass with the honesty and purity of their demands and points of view. They expect, and demand, that a university pursue knowledge for its own sake, not for self-aggrandizement or military purposes. They expect, and demand, that faculty members seek the truth for their love of it, not for prestige, government consultation or promotion. They demand that an educational community be a common community for scholars with ordinary human relationships, not a place where relationships are rigidly controlled by rules, regulations and IBM machines. Perhaps most of all, they expect people to take all of our democratic ideals seriously, just as they do. Perhaps their rhetoric is screeching and blatant and their manners are bad, but the honesty and purity of their demands are embarrassing. Would we have them abandon their concerns on their entry into the broader society?

We should recall that universities have had not one but three generations of radical youths in the last eight or nine years. Each generation learns the collected wisdom from the generation preceding. If the preceding generation of radicals fails, and their cause was just, then, usually, an escalation occurs in the politics of moral outrage. The first generation of what has become the Students For A Democratic Society grew out of the Southern Civil Rights Movement. They were, for the most part, student leaders in our universities. In the early 1960's they went on freedom rides and frequently got blackjacked and beaten by local law and order authorities. They experienced the ways in which equality and American freedom actually worked out in action in parts of our country. The next generation came along two or three years later, about the same time as the intensification of the Vietnamese war, and it had no difficulty legitimating the movement. That had already been done. The second and the third generation learned that racism, poverty and militarism are not phenomena isolated in the South. They pervade the North and West as well as the South, including many Northern and Western universities.

Currently, we have a third generation of students in universities and colleges who are increasingly radical and militant, and the fourth generation is at the threshold. These generations see "the system" as the major force behind racism, exploitation, corruption and responsible for the commercialization and trivialization of basic human values; on the last point they always mention the advertising rhetoric used by business at Christmas. These new generations reached political and social consciousness at a much earlier age. They have always been aware of the student movement; they have grown up hearing about it; they admire it, and want to be part of it. Today senior high school students, the coming fourth generation, are fully aware, militant and fully prepared to use confrontation and all direct action techniques. Student consciousness has been extending downward so that today it exists among many junior high school students. The new generations of radicals will probably be more inclined to take their tactics more from the writings of men like Che Guevara, Mao Tse Tung, Frantz Fanon and Herbert Marcuse than from men like Martin Luther King, Jr. They no longer believe that American society will transform itself from within if given a gentle

push. That is a liberal myth. For them, liberalism is dead; totally unworkable, and what is needed is a social revolution. Not necessarily a violent social revolution, but nevertheless, a revolution that changes the fabric of our whole society, including our universities. Thus, we hear all their rhetoric about the need for revolutionary social change and counter-institutions.

The radical student culture is vigorous indeed. It frequently focuses on the university demanding that it stop preparing students for militarism by eliminating R.O.T.C.; that it not engage in biochemical research that can be used for war purposes; that the university not participate in slumlordism when managing its property, and that state universities existing on state tax funds not support research designed to advance the interests of one social class while ignoring or neglecting the interests of other social classes, e.g., they always point out that universities have schools of business but no schools of labor. In another expression, students want the vote. They believe they are vitally affected by university practices and they want a vote in creating and controlling university policies and practices. They believe that they have a democratic right to participate in making the decisions that affect them. That is to say, students want power. But, to use power effectively requires information and knowledge - information about the scope and limits of the institution within which students function, and knowledge curricula, personnel and what constitutes a truly well educated person. And there is the rub.

Fresh answers are needed in order to identify the principles that a university or college ought to follow when responding to students who demand participation in decision-making. Two principles must be considered: the democratic principle of one-man one-vote and the principle of consultation and accommodation.

Where conditions are available for its effective operation, democracy is the least worst form of government, and I favor it over all others. But the question is whether the conditions necessary for democracy exist in universities. I think not.[12] To be appropriate and effective as a form of government democracy at least requires (1) a definite community of some kind so that one can clearly identify who is and who is not a member of that community having a right to participate in it, and (2) a complete equality of all members each of whom has an equal voice in community affairs because of his equality of status.

No one believes that the student who is at the very beginning of his career should have a voice equal to the most senior, or most scholarly, member of the faculty. At best, those universities which have given voting power to students tend to believe that, perhaps, third or fourth year students, and graduate students might participate in certain limited ways. The point is that students and faculty members are inherently unequal. The relationship between them is more akin to that of master and apprentice than that of complete equality required by the democratic principle. Strictly speaking the relationship is tutorial. Where universities actually to follow the democratic principle treating

faculty and students alike, then students, outnumbering the faculty as they do, would clearly have a majority and be in control of all universities.

A second reason for rejecting the democratic principle is that a university is not merely a single community, but many communities. There are communities constituted by the faculty, by graduate students, by foreign students, by students in the first, second and third year classes, by students in special programs, by all students, by the campus newspaper, by living groups, by social groups, etc. Each of these communities ought to have the power to decide its own affairs, and the various decisions ought to be reached democratically within each community.

Controversy arises over which questions are the primary business of which communities? Jurisdiction is not a simple problem, and in some respects, many university communities overlap. But one point seems clear enough: A person does not have a right to a vote in decision-making simply because the decision may affect him. That is a false view of democracy. For example, each faculty member is, or can be, affected in one way or another whenever a colleague in some other part or department of the university is hired or given tenure. These matters are serious and appropriate for the faculty concern. But whether concerned or affected, faculty members outside the department appropriately do not have a vote in the hiring or tenure decisions made on colleagues because the decisions to hire or give tenure are rightly made by persons who are especially competent; by academic peers who through long study and experience are especially qualified in the discipline. We must reject the notion that merely because a person is affected by a decision he, therefore, has a right to vote on it. Can you imagine a patient voting equally with a surgeon on where the incision for an operation should be made? The jurisdictional question regarding who should vote on what questions can not correctly be resolved by using this idea. How, then, should we conclude which community within the university ought to resolve which questions?

I am not confident that I possess a complete answer to the question. But, a complete answer is not necessary because there is no doubt about whose chief business it is to make decisions on academic affairs. It is properly for the faculty and only for the faculty. Mr. Justice Frankfurter has identified the four academic areas essential to exclusive faculty control:[13]

> It is the business of a university to provide that atmosphere which is most conducive to speculation, experiment and creation. It is an atmosphere in which there prevail "the four essential freedoms" of a university--to determine for itself on academic grounds who may teach, what may be taught, how it shall be taught, and who may be admitted to study.

Two reasons account for the reason that the faculty alone should determine who may teach, what may be taught, how it shall be taught,

and who may be admitted to study. They are (1) faculty competence and (2) institutional responsibility.

University decisions on academic affairs are difficult enough and ought not be further complicated. They have ramifications for past, present and future students; for the faculty regarding who will teach what and how; for the university, and for society at large. Many factors go into an academic decision, and no one can be expected to weigh them all correctly. There will always be mistakes that have to be adjusted. But the faculty uniquely has the greater competence on academic questions. Faculty competence is not merely an acquired skill so that with exposure and practice a student can acquire it within a few weeks or months. Faculty competence stems from long faculty associations with liberally educated scholars, from long independent study and from long, repeated and careful reflection upon the methods, substance and goals of legal education. This is one of the competences of a faculty that makes for faculty excellence. We all judge by using these criteria. Unlike faculty members who have given much of their lives to serious consideration of academic questions, students simply do not bring a remotely equal competence to decide questions of academic affairs. Entrusting these decisions, already difficult enough, to students who have far less experience and knowledge is simply stupid and self-defeating. This is just plain honesty, and we owe it to our students to say so.

The second reason for holding that faculty members, and only faculty members ought to decide questions in the four areas of academic affairs is institutional. By laws, either state or university, the faculty has certain legal obligations which are incurred solely because of the fact that they are faculty members. They are appointed to that office for purposes of research and teaching, tasks for which they are especially qualified, these are some of their obligations; they also are obligated to certify which students will receive degrees and which not, and they are obligated to decide what will qualify a student to receive a degree. These obligations are institutional, and the faculty can neither delegate nor share them. The faculty is solely responsible for their appropriate discharge.

Each of the twin considerations of unique faculty competence and institutionally imposed obligation is fully persuasive, and we must reject the principle of democracy with its one-man one-vote rule as the guide for admitting students to decision-making power in a university. Students should have no voting power whatsoever over academic affairs, and this view at least implies that students ought not have a vote in faculty meetings. The following question must be answered by those faculty members who disagree and hold that a few students, perhaps those especially qualified in discretion or judgment, ought to vote with the faculty on academic affairs because their votes are few in number and probably not very important in the overall total: what principle will you advance to determine the number of students that appropriately are to be admitted to full voting rights? If students are correct in principle, and simply by being students of discretion and judgment are entitled to a vote in faculty meetings, then, two or three votes are simply not enough. The students will stand on the democratic

principle, now admitted by the faculty, and claim that they ought to have two-thirds or three-fourths of all the votes--and indeed, they should! Furthermore, students are no more affected by university decisionsmaking and are less qualified to participate in these affairs than are alumni. If the principle be accepted that being affected by a decision or having moderately special qualifications of judgment or discretion entitle one to vote on questions of academic policy, then alumni, and perhaps other groups as well, can present the necessary credentials. If we surrender up the principle that it is the proper province to the faculty alone, and not that of students, alumni or the general public, to settle questions of academic affairs, then universities will suffer a series of defeats which may subject them to political pressures and weaken their intellectual character.

The considerations denying students a vote in faculty meetings apply to committees as well, but there may be a qualification. That qualification concerns the reliance the faculty places on its committees. If the faculty is in a position to redo the work of its committees, at least in part, then the argument of some faculty members can be considered. They argue that by placing a couple of students on certain committees, as voting members, tensions will be reduced, and even though students are not equally competent in experience or expertise no great harm will occur. This will not satisfy militant students. It will only irritate them. It will serve as an opening wedge for demands for student representation greater than faculty on the committees, and later in faculty meetings, on the ground that there are more students than faculty, and, of course, they will be correct according to the democratic principle. They will be morally outraged if their "just" demands are not met. On the other hand, if the faculty is obliged to rely on the work of its committees, and cannot redo it, then for reasons already stated students should not have the vote. It should be noted that on close, or evenly split, faculty votes, if students have committee votes, their votes will determine the committee recommendation on questions of academic policy. Furthermore, if students are given the vote either in committees or in faculty meetings, and it does not work out, it will be extremely awkward, and perhaps impossible, to remove the student voting power without disastrously rupturing student-faculty relations. The crucially important point is that a committee of the faculty is an instrument of that faculty and should represent it.

While students ought not have a vote on questions of academic policy, there are three areas where student demands are proper and should be allowed. The first area where student demands are just, and should be accommodated, concerns non-academic policy. Whenever the question concerns the rights of a person, whether student or faculty, to pursue his private life, then he is correct in demanding control over what are basically his own affairs. Within legal limits, it simply is no business of the university how a student dresses or wears his hair; how or whom he entertains in his rooms, or however else he may want to lead his private life. Clearly, students should have full rights to control their private and social lives, just like all other citizens, and like other citizens, they should be held equally

accountable for their behavior. This includes social and private lives of students on campus, recognizing however, that their campus behavior cannot be allowed to disrupt the educational mission of the university. The second area concerns non-academic questions that are common to all members of the university community, impinging upon each of them in the same ways. On these questions the vote of a student should be equal to that of a faculty member. Suppose the question is whether automobiles shall be allowed on university grounds or whether a student should be disciplined short of expulsion. I can see no reason why these, and similar, questions should not be settled by the entire university community on the democratic one-man one-vote principle.

The third area where student demands have credence does concern questions of academic affairs, and students should play a key role in decision making. We must distinguish sharply between having an effective voice and having a vote. It is far more important to the health of our institutions that students have an effective voice, than that they have one or two token, and ineffective votes. The appropriate principle is that of consultation and accommodation. It is this principle that can guide us properly and surely when resolving the problems attendant to admitting students to university decision-making. But we must be honest with the students and really accommodate them; not merely give them a "fair hearing" with closed minds and with issues prejudged.

Students have vital interests in certain academic areas such as curriculum, effective teaching, examinations and grading. Clearly, their voices must be heard, and they should have a genuine impact upon academic policy decisions. Students can provide information that can come from no other source. Not only should students be consulted but they should also be accommodated whenever possible. This can be done in many ways. For example, students have a unique interest in curriculum. Faculty design it, but students must go through it. Students not only should have a voice in curricular affairs but have rights to individualized curricula so far as resources will allow. Not enough has been done along this line. The curriculum committee of each university department should have at least two regular, non-voting student members. The committee should have an annual, pre-Christmas meeting to which all students are invited to come and present their views, criticisms and suggestions, with reasons, about ways to improve that department and its curriculum. The student committee members should be obligated to transcribe and collate the criticisms and suggestions, and to arrange them into manageable groupings for subsequent committee deliberations where they would be considered. Afterwards another open meeting of the curriculum committee should be held, and each student who previously made a criticism or suggestion should be informed why his proposal succeeded or failed. When a curriculum committee recommendation is sent to the faculty for action, the two student members of that committee should be present for and participate in the full faculty discussion about the committee's proposal, being asked to leave before the vote is taken. If this procedure were followed the principle of consultation and accommodation would be implemented, at least with respect to curricular affairs, and

students would have an effective voice indeed.

Consulting and accommodating students on effective teaching by the faculty is a bit more delicate, but every bit as important. Students have a right to expect the university to maintain a central and continuing concern with teaching, and this should include student evaluations which themselves may have to be evaluated by others. One suggested procedure is for the faculty personnel committee of each department to work out, with student advice, a comprehensive questionnaire which could be administered as a routine matter on the last class day before final examinations. The results should be treated as confidential, being made available only to the faculty member and to the personnel committee. I think personnel committee members, as well as all faculty members, should sit in on the classes of colleagues, especially younger colleagues. If this were done the personnel committee would have an experiential background against which they might evaluate the student responses on the questionnaires. There are other services students might perform. Students of discretion could be made non-voting members of the personnel committee for purposes of interviewing candidates and considering questions about the hiring of new faculty members. Matters should be structured so these participating students will not take courses from the new faculty appointee, and their service, if discrete, should in no way be deleterious to faculty-student relationships. There are other devices as well that should be institutionalized.

In addition to the above suggestions, the principle of consultation and accommodation could, and perhaps should, be implemented in at least three more ways. First, the entire faculty of a department should hold one or two annual meetings with the entire student body, majors and graduate students, for the purposes of hearing and discussing any criticism, complaint or suggestion about the department or the university. A question and answer format would be most likely to serve well. University wide problems of merit should be referred to the appropriate faculty committee. Secondly, a faculty-student liaison committee with the department chairman as one of its members, should hold a regular monthly meeting open to all students who would be invited for the purpose of discussing any aspect of the health of the department. Finally, the student governing association, on a departmental and university basis, should be encouraged to set up student committees parallel to faculty committees so they can function in an advisory role, occasionally meeting for discussion with faculty committees.

I have argued against the democratic principle of one-man one-vote and for the principle of consultation and accommodation as a guide to solving the problem of student participation in university decision-making. If accepted, and if we truly consult and accommodate our students, then we will have made constructive uses of their energies while maintaining the independent integrity of universities and colleges from outside forces. The faculty will have retained its proper and exclusive control over academic affairs. Furthermore, the dialogue with students will place us in a better position to make the needed changes in higher education so it will be relevant to

solving the social problems faced by our society: poverty, racism, militarism, urbanization and the achievement of peace. It is a primary obligation of the faculty to make the changes necessary so universities will be relevant. Change should not be forced upon us by students. Faithfully followed, the principle of consultation and accommodation will guide our way.

FOOTNOTES

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1. J. L. Avorn, et al., Up Against the Ivy Wall: A History of The Columbia Crisis (1968).

2. See also, The Cox Commission Report, Crisis at Columbia, Report of The Fact Finding Commission Appointed To Investigate The Disturbances At Columbia University in April and May 1968 (1968).

3. See, M. Cohen and D. Hale (eds.), The New Student Left: An Anthology (1967). J. Newfield, A Prophetic Minority (1966); P. Jacobs and S. Landau, The New Radicals: A Report With Documents (1966), and H. Zinn, SNCC: The New Abolitionists (1964), and K. Keniston, The Sources of Student Dissent, 23 J. of Social Issues 108 (1967).

4. I draw freely on the material in Kenneth Keniston's provocative book, Young Radicals (1968).

5. For beginning explorations of the psychology of flux see the works of Robert J. Lifton, Japanese Youth: The Search For The New And The Pure, 30 American Scholar 332 (1960) and Portean Man, Partisan Review (1968).

6. See, R. Flacks, The Liberated Generation: An Exploration Of The Roots Of Student Protest, 23 J. of Social Issues 52 (1967).

7. Generally on the conflict of generations see, L. Feuer, The Conflict Of Generations: Character And Significance Of Student Movements (1969), and Bettleheim, The Problem of Generations, 91 Daedalus 68 (1962).

8. K. Keniston, Young Radicals 248-49 (1968). (Emphasis in Original).

9. Report of The National Advisory Commission on Civil Disorders, 1 (Bantam ed. 1968).

10. Quoted from A. Guttman, Protest Against The War In Vietnam, 323 The Annals 56, 60 (1969). Some critics responding to the "savage American assault on a largely helpless rural population" have termed American policy in Vietnam a war of genocide. See, Noam Chomsky, 8 New York Review of Books 16 (February 23, 1967).

11. See, Falbo v. U.S., 320 U.S. 549 (1944); Estep v. U.S. 327 U.S. 114 (1946); A. F. Ginger, Minimum Due Process Standards in Selective Service Cases 19 Hasting L. J. 1313 (1968), and Comment, Judicial Review of Selective Service Action: A Need for Reform 56 Cal.L.Rev. 448 (1968).

12. For discussion of., C. Cohen, Democracy and The Curriculum, The Nation, March 17, 1969. p. 334.

13. Sweezy v. New Hampshire, 354 U.S. 234, 263 (1956) (Concurring opinion).